



All,

As you've no doubt seen, late this afternoon the Wisconsin Supreme Court issued its [decision](#) in the legislature's lawsuit challenging the Safer at Home order. It's complex, but I wanted to be sure to send some key points related to the order:

1. The supreme court struck down most of the Safer at Home order. (It did not strike down the portion of the Safer at Home order that closed schools for the rest of the 2019-20 school year. That remains in effect, and the discussion below does not relate to that part of the order.)
2. Agencies should not make arrests or take any other legal action based on the terms of the Safer at Home order. While there is some language in the order creating uncertainty as to whether a stay was issued, DOJ does not believe that the supreme court's ruling was stayed and, in any event, would not want anyone enforcing an order the supreme court has found to be unlawful.

3. Please note that this email is not addressing orders issued by local officials. If you have questions about those orders, please discuss them with your district attorney, city attorney or corporation counsel.

4. As you know, the validity of the Safer at Home order is an entirely distinct issue from whether the coronavirus poses health concerns. In my statement on today's supreme court ruling, I asked Wisconsinites to continue socially distancing and following public health experts' recommendations. As leaders in your communities, I encourage you to do the same and to ensure that those who work at your agencies are taking appropriate precautions.

5. It's not yet clear what, if anything, will replace the Safer at Home order at the state level. My statement today, as well as one issued last week, called for legislative action so we're not left without reasonable rules in place. Also, I know that some of you have raised concerns about the expiration of the order that required county health officials to notify dispatchers of addresses at which a resident has tested positive for COVID-19. I know this raises significant safety concerns for you and your officers. We hope to work with you and policymakers to find a solution for this issue, and I encourage you to make your state legislators aware of the importance of this issue.

Please stay safe and healthy. And, again, thank you for all you do for the people of the State of Wisconsin.

Josh

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